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SUBJECT: POLICE ARREST MP, 22 OTHERS AT CANDLELIGHT VIGIL

REF: KUALA LUMPUR 990 -- RAJA PETRA RELEASED FROM ISA

(U) Malaysian police arrested 23 people in Petaling Jaya (a metropolitan area adjacent to Kuala Lumpur) during a November 9 candlelight vigil commemorating the massive rally in support of fair elections held on November 10, 2007, in Kuala Lumpur. Some 300 participants showed up at the vigil, originally intended to urge the release of prominent blogger Raja Petra Kamaruddin, recently freed from Internal Security Act (ISA) detention (reftel). Raja Petra attended the public vigil, but was not detained. Among the 23 arrested for unlawful assembly were opposition Democratic Action Party (DAP) Member of Parliament Tony Pua; DAP Selangor state legislative members Lau Weng Seng and Ronnie Liu; Malaysian Catholic priest Father Paulino Miranda; and an online news portal Malaysiakini videographer who was reporting the event (and whose camera and tapes were confiscated by the police).

(U) Police released 22 out of the 23 detainees in the early morning on November 10 following negotiations with the detainees' lawyers, and held one unnamed person due to a previous drug-related charge. The 22 were let out on police bail on condition they report back to the police station on November 24. Police maintain the option of pressing formal charges, presumably for illegal assembly. (Note: The Police Act requires assemblies of five or more persons to obtain a police permit. End Note.)

(SBU) We spoke to a lawyer for those arrested, who complained that police "roughed up" persons when making the arrests. Selangor Police Chief Khalid Abu Bakar publicly denied public allegations from MP Tony Pua and others that police used unnecessary force while dispersing the peaceful gathering and making arrests. Khalid told reporters November 9 that the group had defied police orders by gathering over the last four weekends and holding candlelight vigils in protest against the ISA and in support of detained blogger Raja Petra. Home Affairs Minister Syed Hamid Albar declined to comment on the incident except to say that that the police were "carrying out their duties."

(U) Opposition leaders condemned the police action and argued that the police should focus their resources on fighting the increasing crime rate in the country rather than targeting peaceful gatherings. Malaysian Bar Council vice president Ragnath Kesavan released a statement describing the November 9 arrests as "a severe blow to freedom of assembly and freedom of expression," and noted the vigil did not pose any threat to public order. The Bar Council vice president also expressed concern that the authorities appear to use the laws selectively against gatherings critical of the National Front government, while taking a hands-off approach to demonstrations against Opposition-led state governments in

Penang and Selangor.  
KEITH